

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KAREN MCBRIEN,

No. C-11-5605 EMC

Plaintiffs,

v.

**ORDER REQUIRING PLAINTIFF TO
FILE AN AMENDED COMPLAINT AND
RESETTING CASE MANAGEMENT
CONFERENCE**

UNITED STATES, *et al.*,

Defendants.

Plaintiff Karen McBrien sent a letter to the Court on March 29, 2012, requesting a continuance of the April 20, 2012 Case Management Conference and other miscellaneous relief.

In its prior order denying Plaintiff's application to proceed *in forma pauperis*, the Court *sua sponte* dismissed the majority of Plaintiff's complaint with prejudice. Docket No. 11 at 4. Accordingly, the only claim remaining in this case is Plaintiff's 42 U.S.C. § 1983 claim based on the alleged use of excessive force by a San Francisco sheriff.

Since the Court's denial of Plaintiff's application, Plaintiff has failed to pay her filing fees and serve Defendants with her complaint. The Court finds that for this case to proceed, Plaintiff must complete the following:

1. File an amended complaint within **30 days** of this order, limited to Plaintiff's 42 U.S.C. § 1983 claim based on the use of excessive force by a San Francisco sheriff. The amended complaint must name as defendants only those parties responsible for this act.
2. Pay the required filing fees when filing her amended complaint.


3. Serve the named defendants with the amended complaint and file proof of service within **90 days** of this order.

The Court warns that failure to comply with these requirements will result in the dismissal of Plaintiff's case with prejudice.

The Case Management Conference set for April 20, 2012 is **reset for September 21, 2012 at 9:00 a.m. before District Judge Edward M. Chen, Courtroom 5, 17th Floor**, Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102. The Court denies all other relief sought by Plaintiff in her March 29, 2012 letter.

IT IS SO ORDERED.

Dated: April 4, 2012


EDWARD M. CHEN
United States District Judge